IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 4869 of 2005

Between:

Sneha Mahila Group, rep by its President,
Smt. Chava Sumathi, W/o. Veerabhadram, aged 40 yeras,
Andukur Village, Krosur Mandal, Guntur District.

..... PETITIONER

AND

1 The Mandal Revenue Officer, Krosur, Guntur Distict.
2 The Revenue Divisional Officer, Guntur, Guntur Distict.
3 Vasavi Mahila Group, Rep by its President,
Andukuru Village, Krosur Mandal, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus, or any other appropriate writ, order or direction, declaring the Proceedings of the 1st respondent issued vide Rc.51/2005A,
dt. 7-3-2005 as illegal, arbitrary, unjust and against to the Principles of natural justice and consequently set-aside the same and pass such other order or orders as may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner :Mr.B.DEVANAND

Counsel for the Respondents 1 and 2: GP FOR SCHOOL EDUCATION

The Court at the admission stage made the following :

ORDER:

This writ petition is filed by the petitioner aggrieved by the action of the first

respondent in removing the petitioner as in-charge for providing mid-day meal on the ground that the petitioner did not provide boiled eggs to the children as per the scheme. Therefore, the Mandal Revenue Officer passed the order on 07-03-2005 replacing the petitioner with the third respondent for providing mid day meal to the children. Aggrieved by that, the petitioner came up with this petition and this court while entertaining the writ petition passed orders on 11-03-2005 suspending the order impugned. By virtue of the said interim order, the petitioner is continuing to supply mid day meal to the children with reference to M.P.U.P.School, Kandukur. Now, the respondents have come up with a petition to vacate the interim order.

At the time of hearing, the learned government pleader also stated that as the petitioner has got an effective remedy of appeal, to be preferred before the Joint Collector, the present writ petition is not maintainable. He also placed a copy of the order of this court in writ petition No.1939/2005 dated 18-02-2005 in the case of **"G. VENKATESWARLU v. M.R.O., PENUGANCHIPROLU(M)"** and sought to pass a similar order.

Heard the learned Government Pleader and considered the material on record.

In view of the effective remedy of appeal available, the petitioner is directed to present the appeal within two weeks from the date of receipt of a copy of this order and on receipt of the appeal, the Joint Collector is directed to consider the same and pass appropriate orders, within a period of four weeks from the date of presentation of the appeal. If the petitioner presents the appeal within two weeks from the date of receipt of a copy of this order, the first respondent is directed to continue the petitioner as the petitioner is continuing as supplier of mid day meal under the interim orders till date. The continuation of the petitioner shall be subject to the out come of the appeal presented by her before the Joint Collector. If the petitioner fails to present the appeal within two weeks from the date of the receipt of a copy of this order, the respondents are at liberty to take appropriate action for making alternative arrangements.

The writ petition is accordingly disposed of. No order as to costs.

SD/-T. LAKSHMI HEMALATHA

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Mandal Revenue Officer, Krosur, Guntur Distict.
2 The Revenue Divisional Officer, Guntur, Guntur Distict.
3 Two CCs to G.P. for School Education,

High Court Buildings, High Court of Andhra Pradesh,

Hyderabad.

4 Two CD copies

5 The Joint Collector, Guntur.

6. One cc to Mr.B.Devanand Advocate (OPUC)

aps.

DATED:28/6/2005

ORDER

WP.NO.4869 OF 2005

DISPOSING THE WP

WITHOUT COSTS.